

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Application of:
Dettinger et al.

Serial No.: 10/787,479

Confirmation No.: 6996

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Filed: February 26, 2004

Group Art Unit: 2176

Examiner: Nathan Hillery

For: TOOL FOR CONFIGURING AVAILABLE FUNCTIONS OF AN APPLICATION

MAIL STOP APPEAL BRIEF - PATENTS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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January 2, 2009	/Tammi Thomas/
Date	Tammi Thomas

Dear Sir:

REPLY BRIEF

Applicants submit this Reply Brief to the Board of Patent Appeals and Interferences in response to the Examiner's Answer dated November 4, 2008. This Reply Brief is believed to be timely since it is transmitted by the due date of January 4, 2009.

While Applicants maintain certain¹ arguments submitted in Applicants' Appeal Brief, Applicants make the following further arguments in light of the Examiner's Answer.

¹ Note, to the Extent that Applicants argued a distinction between client and server operations in their Appeal Brief, Applicants may have overstated this position in the Appeal brief, distracting from the primary argument that the cited references simply does not teach anything directed to reconfiguring an existing web-page as suggested by the Examiner. Accordingly, the former argument is not discussed in this Reply Brief

ARGUMENTS

The Combination of *Wiesehuegel*, *Keating*, and *Hogan* do not Render Independent claims 1 and 11 Obvious

The Examiner maintains that a reference describing a process where data retrieved from an “IOS database” is used to generate information presented to a user discloses a method of that includes reconfiguring an existing web-page to selectively identify and remove certain user selectable elements before providing the web-page to a client for rendering, in the manner claimed.

Applicants submit that *Wiesenhuegel* does not disclose the method recited by claim 1 “for reconfiguring web-pages that includes:

- providing the web page with the displayable content;
- parsing the web page to identify the user-selectable elements; and
- disabling at least a portion of the user-selectable elements on the basis of a pre-defined transform definition to produce a re-configured web page.

Independent claims 24 and 25 recite a similar limitation. Regarding these limitations, the Examiner cites to a description of *Wiesenhuegel*, Figure 7 which illustrates the “logical flow of the process followed by a broker and a system” of *Wiesenhuegel*. *Wiesenhuegel*, ¶ 0062. (see Examiner’s Answer, p. 3.) As disclosed, the process includes the broker logging on to the system (step 71). The system validates his credentials (step 72) and allows the broker to request or receive any “entitlements” (steps 73 and 74.) The “entitlements” refer “to the available goods available goods lists a particular broker or buyer is authorized to trade (by the system of *Wiesenhuegel*). “Typically, the broker profiles or entitlement schema are based on the contractual arrangement between the brokers, the traders, and the manufacturer or service provider.” *Wiesenhuegel*, ¶ 64.

The “logical flow of the process followed by a broker and a system” includes querying an “IOS database” for offering for materials or services to which the broker is entitled” (step 75). Additionally, “times available for open bidding, reserved prices, and other related general parameters to offerings ... may be consulted prior to presenting

offerings to a broker in order to avoid presenting offerings which are already expired or closed (step 76). *Wiesenhuegel*, ¶ 64.

Based on this information, the “logical flow of the process followed by a broker and a system” includes allowing the broker to view and bid on “the entitled offerings.” That is, “the entitled offerings are displayed... to the broker so that he may review, respond, and bid on such offerings (steps 77, 78, and 79).

Wiesenhuegel does describe that the information retrieved from the “IOS database” may be packaged as a web page. *Wiesenhuegel*, ¶ 65-66. Where certain items are presented in a read only form. This is not surprising as *Wiesenhuegel* is directed to a “Read-Only User Access for Web-Based Auction.” For example, *Wiesenhuegel*, ¶ 66 discloses that the web-page created to display items retrieved from the “IOS database” may be done so “with all bidding actions disabled or with no actions given.” And then provides an example a web-page being created with a “bid button” being disabled or simply not presented. *Wiesenhuegel*, ¶ 67.

At the same time, nothing in these passages of describing taking information from a database and generating a web-page to provide that information to the broker does *Wiesenhuegel* teach, show, or suggest the claimed limitations.

First, nothing in this passage describes a web-page being parsed, as claimed, instead information is retrieved from a database; and nothing in this passage describes identifying user selectable elements on that page (as claimed), instead, an appropriate web-page is created to display elements that the broker is entitled to bid with the appropriate graphical tools to do so, and elements that the broker is not entitled to bid for may be displayed in a “disabled state” or simply not included. Plainly therefore, *Wiesenhuegel* does not disclose a re-configured webpage.

And in fact, *Wiesenhuegel* discloses something directly contradictory to this limitation. The information presented to a broker is dynamically retrieved from an “IOS database.” This information is dependent on both (1) the particular broker logging in to the system (steps 71 and 72 of the “logical flow of the process followed by a broker and a system” of *Wiesenhuegel*, Figure 7); and (2) the “entitlements” available to a particular broker at any given time (steps 75 and 76 of the “logical flow of the process followed by

a broker and a system” of *Wiesenhuegel*, Figure 7). Thus, plainly, until this information is known in a particular case, there is no ability to generate a web-page for a broker. Just as plain, once this is known, a page is generated with absolutely no need to reconfigure it. Instead, the webpage is created with the appropriate elements for the particular broker and the entitlements for that broker retrieved from the “IOS database” in the first place. That is, no reconfiguration of the web page is disclosed, suggested, or would even be useful in the logical flow of the process followed by a broker and a system” of *Wiesenhuegel*, Figure 7.

For all the reasons given above, Applicants submit that *Wiesenhuegel*, *Keating*, and *Hogan* fail to disclose a method “for reconfiguring web-pages that includes:

- providing the web page with the displayable content;
- parsing the web page to identify the user-selectable elements; and
- disabling at least a portion of the user-selectable elements on the basis of a pre-defined transform definition to produce a re-configured web page,

as recited by independent claim 1. Independent claims 24 and 25 recite a similar limitation. Accordingly, Applicants respectfully request that the Board vacate the present rejection of these claims, and the claims dependent therefrom.

CONCLUSION

The Examiner errs in finding that claims 1-3, 5, 6, 11-13, 15, 24, and 25 are unpatentable over *Wiesehuegel* in view of *Keating* and *Hogan* under 35 U.S.C. § 103(a).

Withdrawal of the rejection and allowance of all claims is respectfully requested.

Respectfully submitted, and
S-signed pursuant to 37 CFR 1.4,

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